

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

**KIRA FERGUSON, individually and
and as the Executrix of the Estate
of WILLIAM S. FERGUSON, dec.
and
SHANNON FERGUSON, in her
own right,**

Plaintiffs,

V.

Case No.: 1:23-cv-00032-JPJ-PMS

**SUSAN DOONAN BLACKWELL , f/k/a
SUSAN DOONAN BIELSKI**

Defendant.

**PLAINTIFFS' MOTION FOR EXTENDED FILING OF PLAINTIFFS'
OPPOSITION TO DEFENDANT BLACKWELL'S MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION**

Plaintiffs, by counsel, respectfully file this Motion seeking the Court's leave for Plaintiffs' counsel extend filing of its Opposition to Blackwell's Motion to Dismiss for Lack of Personal Jurisdiction.(Opposition). Plaintiffs' new local counsel first appeared in this matter on March 13, 2024. Plaintiffs then sought an extension to file the Opposition. Opposing counsel consented to Friday, March 22, 2024 for filing.

On the same day local counsel had to file an opening brief in the Virginia Court of Appeals that was disrupted with issues at the printer engaged for final filing of that brief and counsel was not able to complete the Opposition on that date. Thinking that the weekend would not affect progress of the case given its

current status and the weight of both matters and recency of this case, counsel filed it on Monday.

Plaintiffs' counsel Mary Lynn Tate humbly apologizes to opposing counsel and the Court for this failure to communicate at that time. I believe the circumstances are excusable under the rule and the Court's discretion.

I intended no deliberate delay or other issue and acted as promptly as I could under the circumstances.

Therefore, Plaintiffs and counsel respectfully request that the Court grant this delay and accept the Plaintiffs' opposition.

Kira Ferguson and Shannon Ferguson and counsel respectfully request that this motion be granted.

PLAINTIFFS BY COUNSEL

Respectfully submitted,
/s/ Mary Lynn Tate
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Co-Counsel for Plaintiffs

Certificate of Service

I hereby certify that on this 29th day of March, 2024, a copy of the foregoing **PLAINTIFFS' MOTION FOR EXTENSION TO FILE OPPOSITION TO DEFENDANT BLACKWELL'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION** was filed ECF, sent via electronic mail for filing and service on counsel for Defendant.

/s/ Mary Lynn Tate

Kathleen McCauley, Esquire (VSB # 39028)
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